Board members present: Chairman Mark McClain; Vice-Chairman Paul Jewell and Commissioner Alan Crankovich.

Others: Julie Kjorsvik, Clerk of the Board; Neil Caulkins, Deputy Prosecutor; Judy Pless, Budget & Finance Manager; Kelly Carlson, Administrative Assistant/Airport Manager; Dan Valoff, Staff Planner; Brent Bottoms, Deputy Prosecutor and approximately 13 members of the public.

CALL TO ORDER

Chairman McClain called the meeting to order.

PLEDGE OF ALLEGIANCE

Chairman McClain led the Pledge of Allegiance.

INTRODUCTION OF NEW COUNTY EMPLOYEES - NONE

PROCLAMATIONS - NONE

AWARDS & RECOGNITIONS - NONE

APPROVAL OF AGENDA

Chairman McClain announced there were three (3) items added to Administrative Matters and that Consent Agenda Item S had been removed from the Agenda.

Commissioner Jewell moved to approve the Agenda, as amended. Commissioner Crankovich seconded. Motion carried 3-0.

CONSENT AGENDA

Items listed under the Consent Agenda were distributed to the Board of County Commissioners in advance for study and were enacted by one motion with separate discussion to the extent any items were removed from the Consent Agenda at the request of a Board member.
Chairman McClain noted Consent Agenda Item S had been removed from the Agenda. Commissioner Crankovich moved to approve the Consent Agenda, as amended. Commissioner Jewell seconded. Motion carried 3-0.

### MINUTES

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### SET PUBLIC HEARING

Approve setting a Public Hearing to consider Setting Salaries for Elected Officials prior to the Election filing period, to be held on Tuesday May 18, 2010 at 2:00 p.m. in the Commissioners Auditorium, Room 109, Kittitas County Courthouse, 205 West 5th Avenue, Ellensburg, WA 98926, and to authorize the Clerk to publish said notice.

### RESOLUTION 2010-50


### AGREEMENT

Approve and authorize the Chair to sign Amendment No. 0863-38304-04, between the Department of Social & Health Services and the Kittitas County Auditor’s office, for funds held in advance for the Developmental Disability and Substance Abuse programs between July 1, 2010 and June 2011.

05/04/10 MINUTES
RESOLUTION 2010-49  
UPGRADES TO CORRECTIONS CENTER  
SHERIFF

Approve Resolution No. 2010-49, Approving Certain Expenditures for Reimbursement to the County from the Proceeds of Bonds to be Issued in the Future, for the mechanical repairs and upgrades to the Kittitas County Corrections Center, and for the Upper District Court project.

AGREEMENT  
RASMUSSEN TRIEBELHORN ARCHITECTS  
SHERIFF

Approve and authorize the Chair to sign an Agreement between Kittitas County and Architects Rasmussen Triebelhorn, for the Kittitas County Jail Pod project.

MEMORANDUM OF UNDERSTANDING  
TRAFFIC SAFETY COMMISSION  
SHERIFF

Approve a Request for a Budget Amendment and a Memorandum of Understanding between the Kittitas County Sheriff’s office and the Washington State Traffic Safety Commission, to use highly visible enforcement to reduce the number of fatalities and serious injury collisions caused by exceeding the posted speed or driving too fast conditions, for the period April 9, 2010 through May 1, 2010 and July 9, 2010 through August 1, 2010, in an amount not to exceed $4,500.00.

MEMORANDUM OF UNDERSTANDING  
ASPEN  
SHERIFF

Approve a Request for a Budget Amendment and a Memorandum of Understanding between the Kittitas County Sheriff’s office and ASPEN, to purchase digital cameras or audio recording/transcription equipment in the amount of $2,240.00, to be used by Law Enforcement during the investigation process of Domestic Violence and Sexual Assault crimes.

SPECIAL EVENT  
EASTON MEMORIAL DAY CELEBRATION  
COMMISSIONERS

Approve a Special Event Application to hold the annual Easton Memorial Day Celebration on May 29, 2010, and to grant a waiver of Kittitas County Code Chapters 5.20.020 (Permit Application timeline) and 5.20.100 (Penal Bond - Bond of Indemnity).

SPECIAL EVENT  
YOUR CANYON FOR A DAY  
COMMISSIONERS

Approve a Special Event Application to hold the annual “Your Canyon for a Day” event on May 23, 2010, sponsored by Crime Stoppers of Yakima County, and to grant a waiver to Kittitas County Code Chapters 5.20.020 (Permit Application timeline), 5.20.100 (Penal Bond - Bond of Indemnity) and 5.20.160 - Closing Hours.

05/04/10 MINUTES  
3
SET APPEAL HEARING  ADMINISTRATIVE DECISION - SLOTHOWER  COMMISSIONERS

Approve setting a Hearing to consider an Administrative Appeal of the Community Development Services and Environmental Health Department, which was filed by Attorney Jeff Slothower, representing D&H Ranch, Inc.; SDL Properties, Inc. and L&D Land Corporation, Inc. regarding vesting to rules and regulations applied on the date of short plat applications being submitted, to be held on Tuesday May 25, 2010 at 1:30 p.m. in the Commissioners Auditorium, Room 109, Kittitas County Courthouse 205 West 5th Avenue Ellensburg, WA and to authorize the Clerk to publish said notice.

AGREEMENT  CONFIDENTIAL INFORMATION OR LIMITED DATASET(S)  PUBLIC HEALTH

Approve and ratify the Public Health Administrators signature on an Information Sharing Agreement #BRFSS-2-024 for Confidential Information or Limited Dataset(s), between the State of Washington Department of Health and the Kittitas County Public Health Department, beginning January 13, 2010 through January 12, 2012.

AGREEMENT  CATHOLIC FAMILY & CHILD SERVICE  PUBLIC HEALTH

Approve and ratify the Public Health Administrator’s signature on a Working Agreement between the Kittitas County Public Health Department and Catholic Family & Child Service for marketing, registration and STARS documentation for STARS education classes for licensed Child Care Providers, beginning February 1, 2010.

AGREEMENT  GROUP HEALTH COOPERATIVE  PUBLIC HEALTH

Approve and ratify the Public Health Administrator’s signature on an Amendment to the Medical Services Agreement between Group Health Cooperative and the Kittitas County Board of Health, effective January 1, 2010.

RESOLUTION 2010-51  SKY RIDGE PERFORMANCE BASED CLUSTER PLAT  CDS

Approve Resolution No. 2010-51, denying the Sky Ridge Performance Based Cluster Plat (LP-09-02), an application submitted by Mark Wald, authorized agent for P Squared, LLC, landowner, for a division of 21 acres into 8 lots(Map Number 20-15-25059-0004).

RESOLUTION 2010-52  MACKIEJO PLAT (LP-08-23)  CDS

Approve Resolution No. 2010-52, approving the Mackiejo Preliminary Plat (LP-08-23), an application submitted by Chris Odmark, authorized agent for Mackiejo Holding Co., LLC, landowner, for a division of 12.0 acres
RESOLUTION 2010-53  
LESH PLAT (LP-09-04)  
CDS

Approve Resolution No. 2010-53, approving the Lesh Preliminary Plat (LP-09-04), an application from Phillip Lesh, landowner, for a division of 42.91 acres into 8 lots located southwest of the City of Cle Elum, east of Cle Elum Ridge Road, off of Rocky Mountain Road, Cle Elum, WA (Map Numbers 19-15-09050-0003 and 19-15-09050-0004).

RESOLUTION 2010-54  
MILAGRO PLAT (P-07-52)  
CDS

Approve Resolution No. 2010-54, approving the Milagro Plat (P-07-52), an application from Milt Kuolt, landowner, for a division of 20.0 acres into 6 lots located east of the City of Cle Elum located off Wiehl Road, Cle Elum, WA (Map Numbers 20-16-23000-0017 & 20-16-26000-0007).

REQUEST TO SET A PUBLIC HEARING TO CONSIDER REVISING KITTITAS COUNTY CODE TO ADD A NEW SECTION TITLED 17.61 "COMMUNITY WIND ENERGY SYSTEMS" AND TO REVISE SECTIONS 17.61A "WIND FARM RESOURCE OVERLAY ZONE" - ITEM REMOVED FROM THE AGENDA AND WILL BE SCHEDULED AT A LATER DATE

RESOLUTION 2010-57  
EXAMINATION OF GODAWA LANE  
PUBLIC WORKS

Approve Resolution No. 2010-57, Directing the County Engineer to make an Examination of and Survey of Godawa Lane, per RCW 36.75.110.

SET PUBLIC HEARING  
BUILDING CODES  
CDS

Approve setting a Public Hearing to consider proposed changes to the County Building Code Chapter 14.04 to adopt the 2009 Building Codes as approved and amended by Washington State that will go into effect July 1, 2010, and the Codes adopted by the State include the 2009 International Building Code, the 2009 International Residential Code, the 2009 International Mechanical Code, the 2009 International Fire Code, the 2009 Uniform Plumbing Code and the 2009 Washington State Energy Code, in addition the following codes to include for local adoption are the 2009 International Property Maintenance Code and the 2009 International Wildland-Urban Interface Code, to be held on Tuesday June 1, 2010 at 2:00 p.m. in the Commissioners Auditorium, Room 109, 205 West 5th Avenue, Ellensburg, WA and to authorize the Clerk to publish said notice.

RESOLUTION 2010-55  
PUBLIC WORKS WEEK  
PUBLIC WORKS

Approve Resolution No. 2010-55, Proclaiming the Week of May 16 through May 22, 2010 as Public Works Week, recognizing the important
contributions that Public Works professionals make every day to improve the public infrastructure of Kittitas County.

RESOLUTION 2010-56  SUPPORT APPLICATION AIRPORT FUNDING  PUBLIC WORKS

Approve Resolution No. 2010-56, Supporting a Funding Application to the Washington State Aviation for Planning and Maintenance of Projects at the Bowers Field Airport.

LEASE  ADDENDUM - JAMES & JOHN LIBENOW  PUBLIC WORKS

Approve an Addendum to a Lease Agreement between Kittitas County and James Libenow and John Libenow, for leased property located within the Aeronautical area at the Bowers Field Airport, beginning June 1, 2010 through May 31, 2015.

SET PUBLIC HEARING  PERMIT & LAND USE APPLICATION FEES  PUBLIC WORKS

Approve Setting a Public Hearing to consider modifying certain Permit and Land Use Application Fees collected by the Community Development Services, Public Works Department, Fire Marshal, Assessor’s Office and the Commissioners Office, to be held on Tuesday May 18, 2010 in the Commissioners Auditorium, Room 109, Kittitas County Courthouse 205 West 5th Avenue, Ellensburg, WA and to authorize the Clerk to publish said notice.

AGREEMENT  TETRA TECH, INC.  PUBLIC WORKS

Approve a Professional Services Agreement between Kittitas County and Tetra Tech, Inc. for the Kittitas County Multi-Jurisdiction Hazard Mitigation Plan, in an amount not to exceed $131,250.00.

AGREEMENT  RURAL ARTERIAL PROGRAM - WESTSIDE ROAD  PUBLIC WORKS

Approve a County Road Administration Board, Rural Arterial Program Agreement for the Westside Road project from Milepost 01.98 to 05.81, for a total amount of authorized RATA funds of $2,446,500.00.

CORRESPONDENCE - NONE

ADMINISTRATIVE MATTERS

RESOLUTION 2010-48  REPEAL 2004-36 & POTABLE WATER SUPPLY  PROSECUTOR

Commissioner Jewell moved to approve Resolution No. 2010-48, Repealing Resolution 2004-36 and giving guidance to Environmental Health regarding the Determination Relating to Potable Water Supply. Commissioner Crankovich seconded. Motion carried 2-1 (Chairman McClain opposed).

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Chairman McClain said he was not ready to approve the Resolution because he has questions about where we're going and fundamental fairness. He said it did not necessarily mean that the interpretation was wrong, but would like to find another solution if at all possible. Commissioner Jewell said everyone would like another solution, but the Resolution still needs to be repealed, and it is an administrative procedure at this point, and if the Board takes no action, there is conflicting information out there. He said the Board is obligated to follow the laws of the State of Washington. Commissioner Crankovich noted the Prosecutors office had recommended not taking the action back in 2004, and they are now recommending it to be repealed.

**SET PUBLIC HEARING AIRPORT BINDING SITE PLAN LOT H20A PUBLIC WORKS**

Commissioner Crankovich moved to approve Setting a Public Hearing to consider a lease of Lot H-20A of the Kittitas County Airport Binding Site Plan in Section 25, Township 18, Range 18, to be held on Tuesday June 1, 2010 at 2:00 p.m. in the Commissioners Auditorium, Room 109, Kittitas County Courthouse, 205 West 5th Avenue, Ellensburg, WA and to authorize the Clerk to publish said notice. Commissioner Jewell seconded. Motion carried 3-0.

**GRANT US DEPARTMENT OF EDUCATION SHERIFF**

Commissioner Jewell moved to ratify the Chairman's signature on a Partner Agreement for Central Washington University, to apply for a Grant Application to the US Department of Education. Commissioner Crankovich seconded. Motion carried 3-0.

**CITIZEN COMMENTS ON NON-AGENDA ITEMS**

John Jensen submitted a letter into the record, noting he had previously provided a document on April 10, 2010 with attachments requesting that the Board of County Commissioners revoke CU-09-00003 per Kittitas County Code 17.60A-100, and he has not received a response from the Commissioners office, Community Development Services or the Deputy Prosecutor and wanted to get an update on the status of the revocation or modification.

Commissioner Crankovich said he had reviewed the information and discussed it with Kirk Holmes, Public Works Director, and he was going to discuss it with Mr. Jensen. Mr. Jensen said he had been in touch with Mr. Holmes, but he indicated he had not seen the information yet.

Commissioner Jewell said he had discussed the issue with the County's legal staff, and they indicated they were outside the appeal process and it seemed as though Mr. Jensen was asking the County to appeal their own decision, and if he was, it was not done in time. Mr. Jensen said he

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was not asking to appeal, only to revoke it. Commissioner Jewell said upon legal review, the Board of Adjustment did take into account the record, along with items presented and Findings of Fact. He said they were limited by the timeframe of appeal, but could provide him with a written response within the next two weeks.

BOARD DISCUSSION/DECISION ITEMS

CLOSED RECORD MEETING SWIFTWATER RANCH LLC CDS

Dan Valoff, CDS Staff Planner, reviewed a request from Swiftwater Ranch LLC and Duane Cameron, landowners for a 49-lot Performance Based Cluster Plat on approximately 85.86 acres of land that is zoned Rural-3, located north of State Route 970, south of Red Bridge Road and west of Teanaway Road, Cle Elum, WA. He said the Hearing Examiner submitted Findings of Fact and Conclusions of Law, remanding the Kittitas County Community Development Services department to reevaluate its existing environmental determination, for additional environmental study and if necessary, for the issuance of a Determination of Significance and completion of an environmental impact statement as may be consistent with the decision.

The Board asked staff questions of the application and decision made by the Hearing Examiner.

Commissioner Crankovich moved to follow the Hearing Examiner’s recommendation for a Stay of Decision, pending the outcome of the SEPA Determination. Commissioner Jewell seconded. Motion carried 3-0.

PUBLIC HEARING HOMELESS & AFFORDABLE HOUSING COMMISSIONERS

Chairman McClain opened a public hearing continued from April 20, 2010, for Board Discussion & Decision only, on recommendations from the Homelessness & Affordable Housing Committee, for applications received for grant funding from the Homeless Prevention and Affordable Housing Funds, as allowed by ESSHB 2163 and SHE 2060.

Commissioner Crankovich expressed concerns with one of the applicants wanting to present more information to the Board members after the public record had been closed. He said it was not that the information may not have been valuable, but rather it was fundamentally wrong, while recognizing it was not a quasi-judicial matter. Commissioner Jewell said he felt comfortable meeting with people after the record was closed, because it was not a quasi-judicial issue. Chairman McClain said he appreciated the committee’s work and it was obvious they took a lot of time reviewing the application materials and analyzing the
information. He said there were only a limited amount of funds available and did not want to award money, if the services would go towards duplicating services. He agreed with Commissioner Crankovich about the fact of not wanting to meet with one applicant and not the other, out of fairness, after the record had been closed.

Commissioner Crankovich said he was a strong supporter of Habitat for Humanity, and the great things that come out of it, and suggested maybe filling half of their request. He said citizens could technically benefit more from the RIETH (Rapid Intervention Emergency Transitional Housing) grant application, than one house for Habitat for Humanity, but struggled with only 42% of their request going towards the project, and administration costs being 58% of the funds requested. Commissioner Jewell asked if the Auditor’s office had conducted a financial analysis on the amount of funds available, including those that been already committed. Commissioner Crankovich assumed the committee would have checked with the Auditor’s office before putting in an amount to advertise the grant applications, but was unsure. Commissioner Jewell suggested creating a policy that a financial analysis must be conducted before advertising for grants.

Commissioner Crankovich moved to continue the public hearing, for Board Discussion & Decision, to Tuesday May 18, 2010 at 10:00 a.m. in the Commissioners Auditorium, and to have the Auditor’s office conduct a financial analysis on the amount of funds previously committed, and the amount available to award for grants. Commissioner Jewell seconded. Motion carried 3-0.

MISCELLANEOUS - NONE

EXECUTIVE SESSION - NONE

ADJOURNMENT

Commissioner Crankovich moved to adjourn at 10:45 a.m. Commissioner Jewell seconded. Motion carried 3-0.

Meeting adjourned at 10:45 a.m.

CLERK OF THE BOARD

KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON

Julie Kjorsvik

Chairman Mark McClain

05/04/10 MINUTES